

**REGULAR MEETING
ENFORCEMENT AND RESOURCE PROTECTION
FEBRUARY 18, 2009 – 3:00 P.M.
TRIBAL OFFICE BOARDROOM**

1. Secretary Mark Waukau called the meeting to order at 3:03 p.m. Roll call was taken with a quorum present. MEMBERS PRESENT: Mark Waukau, Walter Cox, Toni Caldwell (late), Robert Summers, Barb Nelson, Lynnette Miller, and Jonathan Pyatskowit. MEMBERS ABSENT: Kenneth A. Fish (excused), Lisa S. Waukau (excused) and Gregory Askenette (excused).

(Mr. Waukau requested that the record reflect that he was the Chairman for this meeting due to the excused absences of the Chairman and Vice Chairman of the Committee).

2. Moment of Silence. A moment of silence was observed.

3. Approval of Minutes dated January 21, 2009

Linda Peters informed the committee that the conversation to review the ATV Ordinance was done during the discussion on Invasive Species.

The minutes reflected that the committee wanted the definition of why tennis shoes are on electrical lines and that they should be reviewing the gang ordinance. Mark Waukau informed the committee that shoes strewn on electrical lines define territory, and that the Tribal Police Department in conjunction with the Shawano Police Department are working on an updated ordinance to be submitted to the committee.

The gang ordinance will become a standing agenda item until completed.

Motion made by Lynnette Miller to approve the minutes date January 21, 2009 with any corrections needed. Second was by Walter Cox. All those in favor of the motion signify by saying aye. Motion carried: 5 for, 0 opposed, 0 abstentions and 4 absent (Caldwell, Fish, L. Waukau and Askenette).

(Toni Caldwell entered the meeting at 3:07 p.m.)

4. Tow Guidelines Policy: Discussion/Recommendations

The committee questioned why the tow driver would receive a copy of the evidence report. Mr. Waukau informed the committee that if a search is done on a home and the owner is not home, the warrant is left there to show that the Police was there. Mr. Waukau will notify the Legal Department to clear up the language in this section along with the committee's other concerns from last months meeting and will bring the policy back to the committee when it is ready.

Motion made by Walter Cox to table item # 4- Tow Guideline Policy until the Legal Department can review the policy. Second was by Lynnette Miller. All those in favor of the motion signify by saying aye. Motion carried: 6 for, 0 opposed, 0 abstentions and 3 absent (Fish, L. Waukau and Askenette).

5. Hazardous Material Response Guidelines: Discussion/Recommendations

The committee is looking for the updated policy for approval. The Legal Department approved the plan as submitted to them and will further review the guidelines to ensure that the document coincides with the Tribe's Emergency Plan.

Motion made by Lynnette Miller to table item #5 – Hazardous Material Response Guidelines until the Legal Department has a chance to review this document. Second was by Barb Nelson. All those in favor of the motion signify by saying aye. Motion carried: 6 for, 0 opposed, 0 abstentions and 3 absent (Fish, L. Waukau and Askenette).

6. Tribal Police Vehicle Policy: Discussion/Recommendations

The Legal Department needs to review this document and send the committee the updated policy for approval.

Motion made by Toni Caldwell to table item # 6 until the next meeting. Second was by Lynnette Miller. All those in favor of the motion signify by saying aye. Motion carried: 6 for, 0 opposed, 0 abstentions and 3 absent (Fish, L. Waukau and Askenette).

7. License and Permits: Discussion/Recommendation on increasing the fees.

Diane Taubel was present to answer questions the committee had to assist with the possibility to increase the licenses and permits issued by her Department to at least to cover the Administrative costs incurred by her department.

Mrs. Taubel would like to see an increase just to provide her office updated equipment. Her office has been working with outdated computer and camera systems.

Motion made by Toni Caldwell to table this item and that the Director of License and Permits provide an actual cost on each sticker/permit/license and rough estimate on administrative fee and bring it back to the next meeting. Second was by Robert Summers. All those in favor of the motion signify by saying aye. Motion carried: 6 for, 0 opposed, 0 abstentions and 3 absent (Fish, L. Waukau and Askenette).

8. Amendment to Ordinance #97-13 – All Terrain Vehicle Regulations:
Discussion/Recommendations

The Committee agreed that a workgroup should be formed so that all departments have their input and ensure that the amendments conform and will not contract any existing ordinances.

Motion made by Barb Nelson to form a workgroup consisting of Tribal Police, Menominee County Sheriff's Department, Conservation, Environmental Services, Legal Department, Prosecutor's Office and License and Permits to work on the amendment considerations, confer with the Legal Department and bring back the updated amendment(s) to the committee for approval. Second was by Toni Caldwell. All those in favor of the motion signify by saying aye. Motion carried: 6 for, 0 opposed, 0 abstentions and 3 absent (Fish, L. Waukau and Askenette).

9. Draft Ordinance 09 - ____ : Solicitation

The Legal Department is still working on a Draft Solicitation Ordinance. The committee understood that if a non member is being cited, then the jurisdiction would belong to Menominee County. Also, Ordinance 79-14 (Judicial Code) has one sentence that covers this type of behavior.

Motion made by Lynnette Miller to table item # 9-Draft Ordinance 09- ____ : Solicitation until the next meeting. Second was by Robert Summers. All those in favor of the motion signify by saying aye. Motion carried: 6 for, 0 opposed, 0 abstentions and 3 absent (Fish, L. Waukau and Askenette).

10. Rice Lake Access Update

This is a legal issue that needs more research done before any action is taken by the committee.

Motion made by Barb Nelson to table Rice Lake Access Update until more research can be done. Second was by Jonathan Pyatskowit. All those in favor of the motion signify by saying aye. Motion carried: 6 for, 0 opposed, 0 abstentions and 3 absent (Fish, L. Waukau and Askenette).

11. Monthly Narratives

Mark Waukau explained to the committee that the Insurance Department paid out a damage claim to a jet ski without any consultation with the Tribal Police Department. Mr. Waukau requested that the Insurance Department send a letter to the insurance carrier stating how displeased the department was with the settlement of this claim. This settlement makes it look like the Department was at fault.

Regular Meeting
Enforcement and Resource Protection Committee
February 18, 2009
Page 4 of 4

12. Other Business

No other business.

13. Adjournment

Motion made by Lynnette Miller to adjourn the meeting. Second was by Robert Summers. All those in favor of the motion signify by saying aye. Motion carried: 6 for, 0 opposed, 0 abstentions and 3 absent (Fish, L. Waukau and Askenette).

Meeting adjourned at 4:20 p.m.

Respectfully submitted by,

Linda Peters, recorder
Chairman's Office